

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JOHN L. RUST and KAREN J. RUST,	:	C. A. NO. 07-222 (GMS)
	:	
Plaintiffs,	:	
	:	
vs.	:	
	:	
BIOMEDICAL TISSUE SERVICES,	:	
LTD., MICHAEL MASTROMARINO,	:	
REGENERATION TECHNOLOGIES,	:	
INC., and MEDTRONIC SOFAMOR	:	JURY TRIAL OF TWELVE DEMANDED
DANEK, USA, INC.,	:	
	:	
Defendants.	:	

PRAECIPE

TO: Clerk

Pursuant to Fed. Rule Civ. P. 4, please sign and seal the enclosed Summonses so that Plaintiffs may effect service of their Amended Complaint upon BIOMEDICAL TISSUE SERVICES, LTD., MICHAEL MASTROMARINO, and MEDTRONIC SOFAMOR DANEK, USA., INC., by serving the Delaware Secretary of State pursuant to 10 Del. C. §3104.

STUMPF, VICKERS & SANDY, P.A.
8 West Market Street
Georgetown, DE 19947
(302) 856-3561
Attorney for Plaintiffs

BY: /s/ Brian F. Dolan
Brian F. Dolan
I.D. No. 3190

DATED: May 22, 2007

United States District Court

District of Delaware

JOHN L. RUST and KAREN J. RUST,

Plaintiffs

V.

SUMMONS IN A CIVIL CASE

BIOMEDICAL TISSUE SERVICES, LTD.,
MICHAEL MASTROMARINO, REGNERATION
TECHNOLOGIES, INC., and MEDTRONIC
SOFAMOR DANEK, USA, INC.,

CASE NUMBER 07-222 (GMS)

Defendants.

TO: Delaware Secretary of State on behalf of Biomedical
Tissue Services, Ltd., 8 Buckingham Road, Fort Lee,
NJ, 07024, pursuant to 10 Del. C. §3104 and Fed. R.
Civ. P. 4(e)(1)

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Brian F. Dolan, Esquire
Stumpf, Vickers & Sandy, P.A.
8 West Market Street
Georgetown, DE 19947

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

CLERK

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ¹	DATE	
NAME OF SERVER (<i>PRINT</i>)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"> <input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____ </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and Discretion then residing therein. Name of person with whom the summons and complaint were left: _____ </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Returned unexecuted: _____ _____ </div> <div> <input type="checkbox"/> Other (specify): _____ _____ _____ </div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> Executed on _____ <div style="text-align: center;">Date</div> </div> <div style="width: 60%;"> _____ <div style="text-align: center;"><i>Signature of Server</i></div> _____ <div style="text-align: center;"><i>Address of Server</i></div> </div> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

United States District Court

District of Delaware

JOHN L. RUST and KAREN J. RUST,

Plaintiffs

V.

SUMMONS IN A CIVIL CASE

BIOMEDICAL TISSUE SERVICES, LTD.,
MICHAEL MASTROMARINO, REGNERATION
TECHNOLOGIES, INC., and MEDTRONIC
SOFAMOR DANEK, USA, INC.,

CASE NUMBER 07-222 (GMS)

Defendants.

TO: Delaware Secretary of State on behalf of Medtronic Sofamor
Danek, USA, Inc., through its Registered Agent, CT
Corporation System, 800 South Gay Street, Suite 2021,
Knoxville, Tennessee, 37929, pursuant to 10 Del. C. §3104
and Fed. R. Civ. P. 4(e)(1)

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Brian F. Dolan, Esquire
Stumpf, Vickers & Sandy, P.A.
8 West Market Street
Georgetown, DE 19947

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BIOMEDICAL TISSUE SERVICES, LTD.,
MICHAEL MASTROMARINO, REGNERATION
TECHNOLOGIES, INC., and MEDTRONIC
SOFAMOR DANEK, USA, INC.,

CASE NUMBER 07-222 (GMS)

Defendants.

TO: Delaware Secretary of State on behalf of Michael
Mastromarino, 8 Buckingham Road, Fort Lee,
NJ, 07024, pursuant to 10 Del. C. §3104 and Fed. R.
Civ. P. 4(e)(1)

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Brian F. Dolan, Esquire
Stumpf, Vickers & Sandy, P.A.
8 West Market Street
Georgetown, DE 19947

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